

# House Study Bill 694 - Introduced

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
HOUSE APPROPRIATIONS  
SUBCOMMITTEE ON JUSTICE  
SYSTEM)

## A BILL FOR

- 1 An Act relating to appropriations to the justice system.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. 2017 Iowa Acts, chapter 167, section 27, is  
2 amended to read as follows:

3 SEC. 27. DEPARTMENT OF JUSTICE.

4 1. There is appropriated from the general fund of the state  
5 to the department of justice for the fiscal year beginning July  
6 1, 2018, and ending June 30, 2019, the following amounts, or  
7 so much thereof as is necessary, to be used for the purposes  
8 designated:

9 a. For the general office of attorney general for salaries,  
10 support, maintenance, and miscellaneous purposes, including  
11 the prosecuting attorneys training program, matching funds  
12 for federal violence against women grant programs, victim  
13 assistance grants, office of drug control policy prosecuting  
14 attorney program, and odometer fraud enforcement, and for not  
15 more than the following full-time equivalent positions:  
16 ..... \$ ~~3,336,154~~  
17 6,511,705  
18 ..... FTEs 215.00

19 As a condition of receiving the appropriation provided  
20 in this lettered paragraph, the department of justice shall  
21 maintain a record of the estimated time incurred representing  
22 each agency or department.

23 b. For victim assistance grants:  
24 ..... \$ ~~2,508,354~~  
25 5,016,708

26 The moneys appropriated in this lettered paragraph shall be  
27 used to provide grants to care providers providing services to  
28 crime victims of domestic abuse or to crime victims of rape and  
29 sexual assault.

30 The balance of the victim compensation fund established  
31 in [section 915.94](#) may be used to provide salary and support  
32 of not more than 24.00 full-time equivalent positions and to  
33 provide maintenance for the victim compensation functions  
34 of the department of justice. In addition to the full-time  
35 equivalent positions authorized pursuant to this paragraph,

1 5.00 full-time equivalent positions are authorized and shall  
 2 be used by the department of justice to employ one accountant  
 3 and four program planners. The department of justice may  
 4 employ the additional 5.00 full-time equivalent positions  
 5 authorized pursuant to this paragraph that are in excess of the  
 6 number of full-time equivalent positions authorized only if  
 7 the department of justice receives sufficient federal moneys  
 8 to maintain employment for the additional full-time equivalent  
 9 positions during the current fiscal year. The department  
 10 of justice shall only employ the additional 5.00 full-time  
 11 equivalent positions in succeeding fiscal years if sufficient  
 12 federal moneys are received during each of those succeeding  
 13 fiscal years.

14 The department of justice shall transfer at least \$150,000  
 15 from the victim compensation fund established in [section 915.94](#)  
 16 to the victim assistance grant program.

17 Notwithstanding [section 8.33](#), moneys appropriated in this  
 18 paragraph "b" that remain unencumbered or unobligated at the  
 19 close of the fiscal year shall not revert but shall remain  
 20 available for expenditure for the purposes designated until the  
 21 close of the succeeding fiscal year.

22 c. For legal services for persons in poverty grants as  
 23 provided in [section 13.34](#):

24 .....	\$	<del>1,152,301</del>
25		<u>2,304,601</u>

26 2. a. The department of justice, in submitting budget  
 27 estimates for the fiscal year commencing July 1, 2019, pursuant  
 28 to [section 8.23](#), shall include a report of funding from sources  
 29 other than amounts appropriated directly from the general fund  
 30 of the state to the department of justice or to the office of  
 31 consumer advocate. These funding sources shall include but  
 32 are not limited to reimbursements from other state agencies,  
 33 commissions, boards, or similar entities, and reimbursements  
 34 from special funds or internal accounts within the department  
 35 of justice. The department of justice shall also report actual

1 reimbursements for the fiscal year commencing July 1, 2017,  
2 and actual and expected reimbursements for the fiscal year  
3 commencing July 1, 2018.

4     b. The department of justice shall include the report  
5 required under paragraph "a", as well as information regarding  
6 any revisions occurring as a result of reimbursements actually  
7 received or expected at a later date, in a report to the  
8 co-chairpersons and ranking members of the joint appropriations  
9 subcommittee on the justice system and the legislative services  
10 agency. The department of justice shall submit the report on  
11 or before January 15, 2019.

12     3. a. The department of justice shall fully reimburse  
13 the costs and necessary related expenses incurred by the Iowa  
14 law enforcement academy to continue to employ one additional  
15 instructor position who shall provide training for ~~domestic~~  
16 ~~abuse and~~ human trafficking-related issues throughout the  
17 state.

18     b. The department of justice shall obtain the moneys  
19 necessary to reimburse the Iowa law enforcement academy to  
20 employ such an instructor from unrestricted moneys from either  
21 the victim compensation fund established in [section 915.94](#), the  
22 human trafficking victim fund established in [section 915.95](#), or  
23 the human trafficking enforcement fund established in 2015 Iowa  
24 Acts, chapter 138, section 141.

25     Sec. 2. 2017 Iowa Acts, chapter 167, section 28, is amended  
26 to read as follows:

27     SEC. 28. OFFICE OF CONSUMER ADVOCATE. There is appropriated  
28 from the department of commerce revolving fund created in  
29 section 546.12 to the office of consumer advocate of the  
30 department of justice for the fiscal year beginning July 1,  
31 2018, and ending June 30, 2019, the following amount, or so  
32 much thereof as is necessary, to be used for the purposes  
33 designated:

34     For salaries, support, maintenance, and miscellaneous  
35 purposes, and for not more than the following full-time

1 equivalent positions:

2 ..... \$ ~~1,568,794~~  
 3 3,137,588  
 4 ..... FTEs 22.00

5 Sec. 3. 2017 Iowa Acts, chapter 167, section 29, is amended  
 6 to read as follows:

7 SEC. 29. DEPARTMENT OF CORRECTIONS — FACILITIES.

8 1. There is appropriated from the general fund of the state  
 9 to the department of corrections for the fiscal year beginning  
 10 July 1, 2018, and ending June 30, 2019, the following amounts,  
 11 or so much thereof as is necessary, to be used for the purposes  
 12 designated:

13 a. For the operation of the Fort Madison correctional  
 14 facility, including salaries, support, maintenance, and  
 15 miscellaneous purposes:

16 ..... \$ ~~21,359,525~~  
 17 41,079,882

18 b. For the operation of the Anamosa correctional facility,  
 19 including salaries, support, maintenance, and miscellaneous  
 20 purposes:

21 ..... \$ ~~16,413,582~~  
 22 32,164,148

23 c. For the operation of the Oakdale correctional facility,  
 24 including salaries, support, maintenance, and miscellaneous  
 25 purposes:

26 ..... \$ ~~29,745,767~~  
 27 60,314,427

28 d. For the operation of the Newton correctional facility,  
 29 including salaries, support, maintenance, and miscellaneous  
 30 purposes:

31 ..... \$ ~~13,830,610~~  
 32 28,061,220

33 e. For the operation of the Mount Pleasant correctional  
 34 facility, including salaries, support, maintenance, and  
 35 miscellaneous purposes:

1	.....	\$ <del>12,338,207</del>
2		<u>25,526,413</u>
3	f. For the operation of the Rockwell City correctional	
4	facility, including salaries, support, maintenance, and	
5	miscellaneous purposes:	
6	.....	\$ <del>4,860,229</del>
7		<u>10,458,861</u>
8	g. For the operation of the Clarinda correctional facility,	
9	including salaries, support, maintenance, and miscellaneous	
10	purposes:	
11	.....	\$ <del>12,542,703</del>
12		<u>24,780,950</u>
13	Moneys received by the department of corrections as	
14	reimbursement for services provided to the Clarinda youth	
15	corporation are appropriated to the department and shall be	
16	used for the purpose of operating the Clarinda correctional	
17	facility.	
18	h. For the operation of the Mitchellville correctional	
19	facility, including salaries, support, maintenance, and	
20	miscellaneous purposes:	
21	.....	\$ <del>11,197,045</del>
22		<u>22,594,090</u>
23	i. For the operation of the Fort Dodge correctional	
24	facility, including salaries, support, maintenance, and	
25	miscellaneous purposes:	
26	.....	\$ <del>14,883,498</del>
27		<u>29,660,231</u>
28	j. For reimbursement of counties for temporary confinement	
29	of prisoners, as provided in sections <a href="#">901.7</a> , <a href="#">904.908</a> , and	
30	<a href="#">906.17</a> , and for offenders confined pursuant to <a href="#">section 904.513</a> :	
31	.....	\$ <del>787,546</del>
32		<u>1,575,092</u>
33	k. For federal prison reimbursement, reimbursements for	
34	out-of-state placements, and miscellaneous contracts:	
35	.....	\$ <del>242,206</del>

484,411

2     2. The department of corrections shall use moneys  
3 appropriated in subsection 1 to continue to contract for the  
4 services of a Muslim imam and a Native American spiritual  
5 leader.

6     Sec. 4. 2017 Iowa Acts, chapter 167, section 30, is amended  
7 to read as follows:

8     SEC. 30. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

9 There is appropriated from the general fund of the state to the  
10 department of corrections for the fiscal year beginning July  
11 1, 2018, and ending June 30, 2019, the following amounts, or  
12 so much thereof as is necessary, to be used for the purposes  
13 designated:

14     1. For general administration, including salaries and the  
15 adjustment of salaries throughout the department, support,  
16 maintenance, employment of an education director to administer  
17 a centralized education program for the correctional system,  
18 and miscellaneous purposes:

19 ..... \$ 2,576,953  
20 9,933,851

21     a. It is the intent of the general assembly that each  
22 lease negotiated by the department of corrections with a  
23 private corporation for the purpose of providing private  
24 industry employment of inmates in a correctional institution  
25 shall prohibit the private corporation from utilizing inmate  
26 labor for partisan political purposes for any person seeking  
27 election to public office in this state and that a violation  
28 of this requirement shall result in a termination of the lease  
29 agreement.

30     b. It is the intent of the general assembly that as a  
31 condition of receiving the appropriation provided in this  
32 subsection the department of corrections shall not enter into  
33 a lease or contractual agreement pursuant to [section 904.809](#)  
34 with a private corporation for the use of building space for  
35 the purpose of providing inmate employment without providing

1 that the terms of the lease or contract establish safeguards to  
 2 restrict, to the greatest extent feasible, access by inmates  
 3 working for the private corporation to personal identifying  
 4 information of citizens.

5 2. For educational programs for inmates at state penal  
 6 institutions:

7 ..... \$ ~~1,304,055~~  
 8 2,608,109

9 a. To maximize the funding for educational programs,  
 10 the department shall establish guidelines and procedures to  
 11 prioritize the availability of educational and vocational  
 12 training for inmates based upon the goal of facilitating an  
 13 inmate's successful release from the correctional institution.

14 b. The director of the department of corrections may  
 15 transfer moneys from Iowa prison industries and the canteen  
 16 operating funds established pursuant to [section 904.310](#), for  
 17 use in educational programs for inmates.

18 c. Notwithstanding [section 8.33](#), moneys appropriated in  
 19 this subsection that remain unobligated or unexpended at the  
 20 close of the fiscal year shall not revert but shall remain  
 21 available to be used only for the purposes designated in this  
 22 subsection until the close of the succeeding fiscal year.

23 3. For the development of the Iowa corrections offender  
 24 network (ICON) data system:

25 ..... \$ ~~1,000,000~~  
 26 2,000,000

27 4. For offender mental health and substance abuse  
 28 treatment:

29 ..... \$ ~~14,033~~  
 30 28,065

31 ~~5. For department-wide duties, including operations, costs,~~  
 32 ~~and miscellaneous purposes:~~

33 ..... \$ ~~648,947~~

34 Sec. 5. 2017 Iowa Acts, chapter 167, section 31, is amended  
 35 to read as follows:



1 SEC. 31. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL  
2 SERVICES.

3 1. There is appropriated from the general fund of the state  
4 to the department of corrections for the fiscal year beginning  
5 July 1, 2018, and ending June 30, 2019, for salaries, support,  
6 maintenance, and miscellaneous purposes, the following amounts,  
7 or so much thereof as is necessary, to be used for the purposes  
8 designated:

9 a. For the first judicial district department of  
10 correctional services:  
11 ..... \$ ~~7,318,383~~  
12 14,786,766

13 It is the intent of the general assembly that the first  
14 judicial district department of correctional services maintain  
15 the drug courts operated by the district department.

16 b. For the second judicial district department of  
17 correctional services:  
18 ..... \$ ~~5,691,870~~  
19 11,433,739

20 It is the intent of the general assembly that the second  
21 judicial district department of correctional services establish  
22 and maintain two drug courts to be operated by the district  
23 department.

24 c. For the third judicial district department of  
25 correctional services:  
26 ..... \$ ~~3,583,979~~  
27 7,167,957

28 d. For the fourth judicial district department of  
29 correctional services:  
30 ..... \$ ~~2,789,961~~  
31 5,679,922

32 e. For the fifth judicial district department of  
33 correctional services, including funding for electronic  
34 monitoring devices for use on a statewide basis:  
35 ..... \$ ~~10,428,970~~

1 21,557,940

2 It is the intent of the general assembly that the fifth  
3 judicial district department of correctional services maintain  
4 the drug court operated by the district department.

5 f. For the sixth judicial district department of  
6 correctional services:

7 ..... \$ ~~7,356,583~~  
8 14,713,165

9 It is the intent of the general assembly that the sixth  
10 judicial district department of correctional services maintain  
11 the drug court operated by the district department.

12 g. For the seventh judicial district department of  
13 correctional services:

14 ..... \$ ~~3,888,671~~  
15 7,777,341

16 It is the intent of the general assembly that the seventh  
17 judicial district department of correctional services maintain  
18 the drug court operated by the district department.

19 h. For the eighth judicial district department of  
20 correctional services:

21 ..... \$ ~~4,042,261~~  
22 8,084,521

23 2. Each judicial district department of correctional  
24 services, within the funding available, shall continue programs  
25 and plans established within that district to provide for  
26 intensive supervision, sex offender treatment, diversion of  
27 low-risk offenders to the least restrictive sanction available,  
28 job development, and expanded use of intermediate criminal  
29 sanctions.

30 3. Each judicial district department of correctional  
31 services shall provide alternatives to prison consistent with  
32 chapter 901B. The alternatives to prison shall ensure public  
33 safety while providing maximum rehabilitation to the offender.  
34 A judicial district department of correctional services may  
35 also establish a day program.

1     4. The governor's office of drug control policy shall  
 2 consider federal grants made to the department of corrections  
 3 for the benefit of each of the eight judicial district  
 4 departments of correctional services as local government  
 5 grants, as defined pursuant to federal regulations.

6     5. The department of corrections shall continue to contract  
 7 with a judicial district department of correctional services to  
 8 provide for the rental of electronic monitoring equipment which  
 9 shall be available statewide.

10    6. Notwithstanding this section, and as a condition of  
 11 receiving the appropriation in this section, each judicial  
 12 district department of correctional services shall not expend  
 13 moneys appropriated in this section on the implementation,  
 14 development, or use of pretrial risk assessments, and shall  
 15 terminate any pretrial risk assessment pilot programs by  
 16 December 31, 2018, until such time that the use of pretrial  
 17 risk assessments are authorized by the general assembly.

18    Sec. 6. 2017 Iowa Acts, chapter 167, section 36, is amended  
 19 to read as follows:

20    SEC. 36. IOWA LAW ENFORCEMENT ACADEMY.

21    1. There is appropriated from the general fund of the  
 22 state to the Iowa law enforcement academy for the fiscal year  
 23 beginning July 1, 2018, and ending June 30, 2019, the following  
 24 amount, or so much thereof as is necessary, to be used for the  
 25 purposes designated:

26    For salaries, support, maintenance, and miscellaneous  
 27 purposes, including jailer training and technical assistance,  
 28 and for not more than the following full-time equivalent  
 29 positions:

30 .....	\$	477,378
31 .....		<u>971,341</u>
32 .....	FTEs	<del>25.00</del>
33 .....		<u>26.00</u>

34    The Iowa law enforcement academy may temporarily exceed and  
 35 draw more than the amount appropriated in this subsection and

1 incur a negative cash balance as long as there are receivables  
2 equal to or greater than the negative balance and the amount  
3 appropriated in this subsection is not exceeded at the close  
4 of the fiscal year.

5     2. The Iowa law enforcement academy may select at least  
6 five automobiles of the department of public safety, division  
7 of state patrol, prior to turning over the automobiles to  
8 the department of administrative services to be disposed  
9 of by public auction, and the Iowa law enforcement academy  
10 may exchange any automobile owned by the academy for each  
11 automobile selected if the selected automobile is used in  
12 training law enforcement officers at the academy. However, any  
13 automobile exchanged by the academy shall be substituted for  
14 the selected vehicle of the department of public safety and  
15 sold by public auction with the receipts being deposited in the  
16 depreciation fund to the credit of the department of public  
17 safety, division of state patrol.

18     3. The Iowa law enforcement academy shall provide training  
19 for domestic abuse and human trafficking-related issues  
20 throughout the state. The training shall be offered at no  
21 cost to the attendees and the training shall not replace any  
22 existing domestic abuse or human trafficking training offered  
23 by the academy.

24     Sec. 7. 2017 Iowa Acts, chapter 167, section 37, is amended  
25 to read as follows:

26     SEC. 37. STATE PUBLIC DEFENDER. There is appropriated from  
27 the general fund of the state to the office of the state public  
28 defender of the department of inspections and appeals for the  
29 fiscal year beginning July 1, 2018, and ending June 30, 2019,  
30 the following amounts, or so much thereof as is necessary, to  
31 be used for the purposes designated:

32     1. For salaries, support, maintenance, and miscellaneous  
33 purposes, and for not more than the following full-time  
34 equivalent positions:

35 ..... \$ ~~13,091,122~~

1 26,505,299

2 ..... FTEs 223.00

3 2. For payments on behalf of eligible adults and juveniles

4 from the indigent defense fund, in accordance with section

5 815.11:

6 ..... \$ ~~16,722,224~~

7 35,144,448

8 Sec. 8. 2017 Iowa Acts, chapter 167, section 38, is amended

9 to read as follows:

10 SEC. 38. BOARD OF PAROLE. There is appropriated from the

11 general fund of the state to the board of parole for the fiscal

12 year beginning July 1, 2018, and ending June 30, 2019, the

13 following amount, or so much thereof as is necessary, to be

14 used for the purposes designated:

15 For salaries, support, maintenance, and miscellaneous

16 purposes, and for not more than the following full-time

17 equivalent positions:

18 ..... \$ ~~595,866~~

19 1,221,374

20 ..... FTEs 10.75

21 Sec. 9. 2017 Iowa Acts, chapter 167, section 39, is amended

22 to read as follows:

23 SEC. 39. DEPARTMENT OF PUBLIC DEFENSE.

24 1. There is appropriated from the general fund of the

25 state to the department of public defense, for the fiscal year

26 beginning July 1, 2018, and ending June 30, 2019, the following

27 amounts, or so much thereof as is necessary, to be used for the

28 purposes designated:

29 For salaries, support, maintenance, and miscellaneous

30 purposes, and for not more than the following full-time

31 equivalent positions:

32 ..... \$ ~~3,111,662~~

33 6,334,961

34 ..... FTEs 248.00

35 2. The department of public defense may temporarily exceed

1 and draw more than the amount appropriated in this section and  
 2 incur a negative cash balance as long as there are receivables  
 3 of federal funds equal to or greater than the negative balance  
 4 and the amount appropriated in this section is not exceeded at  
 5 the close of the fiscal year.

6 Sec. 10. 2017 Iowa Acts, chapter 167, section 40, is amended  
 7 to read as follows:

8 SEC. 40. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY  
 9 MANAGEMENT.

10 1. There is appropriated from the general fund of the state  
 11 to the department of homeland security and emergency management  
 12 for the fiscal year beginning July 1, 2018, and ending June  
 13 30, 2019, the following amounts, or so much thereof as is  
 14 necessary, to be used for the purposes designated:

15 For salaries, support, maintenance, and miscellaneous  
 16 purposes, and for not more than the following full-time  
 17 equivalent positions:

18 .....	\$	<del>1,060,964</del>
19 .....		<u>2,123,610</u>
20 .....	FTEs	33.87

21 2. The department of homeland security and emergency  
 22 management may temporarily exceed and draw more than the amount  
 23 appropriated in this section and incur a negative cash balance  
 24 as long as there are receivables of federal funds equal to or  
 25 greater than the negative balance and the amount appropriated  
 26 in this section is not exceeded at the close of the fiscal  
 27 year.

28 Sec. 11. 2017 Iowa Acts, chapter 167, section 41, is amended  
 29 to read as follows:

30 SEC. 41. DEPARTMENT OF PUBLIC SAFETY. There is appropriated  
 31 from the general fund of the state to the department of public  
 32 safety for the fiscal year beginning July 1, 2018, and ending  
 33 June 30, 2019, the following amounts, or so much thereof as is  
 34 necessary, to be used for the purposes designated:

35 1. For the department's administrative functions, including

1 salaries and the adjustment of salaries throughout the  
 2 department, the criminal justice information system, and for  
 3 not more than the following full-time equivalent positions:  
 4 ..... \$ ~~2,071,566~~  
 5 ..... 6,631,377  
 6 ..... FTEs 37.00

7 2. For the division of criminal investigation, including  
 8 the state's contribution to the peace officers' retirement,  
 9 accident, and disability system provided in chapter 97A in the  
 10 amount of the state's normal contribution rate, as defined in  
 11 section 97A.8, multiplied by the salaries for which the moneys  
 12 are appropriated, to meet federal fund matching requirements,  
 13 and for not more than the following full-time equivalent  
 14 positions:

15 ..... \$ ~~6,795,272~~  
 16 ..... 14,463,083  
 17 ..... FTEs ~~160.00~~  
 18 ..... 162.00

19 a. As a condition of the appropriation in this subsection,  
 20 the division of criminal investigation shall expend up to  
 21 \$200,000 to employ 2.0 full-time equivalent positions to assist  
 22 in expediting the processing and analysis of DNA samples.

23 b. The division of criminal investigation may employ two of  
 24 the three additional full-time equivalent positions authorized  
 25 pursuant to this subsection that are in excess of the number  
 26 of full-time equivalent positions authorized for the previous  
 27 fiscal year only if the division of criminal investigation  
 28 receives sufficient federal moneys to maintain employment for  
 29 the additional 2.00 full-time equivalent positions during the  
 30 current fiscal year. The division of criminal investigation  
 31 shall only employ the additional 2.00 full-time equivalent  
 32 positions in succeeding fiscal years if sufficient federal  
 33 moneys are received during each of those succeeding fiscal  
 34 years.

35 3. For the criminalistics laboratory fund created in

1 section 691.9:

2 ..... \$ ~~151,173~~  
 3 302,345

4 4. a. For the division of narcotics enforcement, including  
 5 the state's contribution to the peace officers' retirement,  
 6 accident, and disability system provided in chapter 97A in the  
 7 amount of the state's normal contribution rate, as defined in  
 8 section 97A.8, multiplied by the salaries for which the moneys  
 9 are appropriated, to meet federal fund matching requirements,  
 10 and for not more than the following full-time equivalent  
 11 positions:

12 ..... \$ ~~3,726,650~~  
 13 7,585,873  
 14 ..... FTEs 66.50

15 The division of narcotics enforcement may employ an  
 16 additional 1.00 full-time equivalent position authorized  
 17 pursuant to this lettered paragraph that is in excess of  
 18 the number of full-time equivalent positions authorized for  
 19 the previous fiscal year only if the division of narcotics  
 20 enforcement receives sufficient federal moneys to maintain  
 21 employment for the additional full-time equivalent position  
 22 during the current fiscal year. The division of narcotics  
 23 enforcement shall only employ the additional full-time  
 24 equivalent position in succeeding fiscal years if sufficient  
 25 federal moneys are received during each of those succeeding  
 26 fiscal years.

27 b. For the division of narcotics enforcement for undercover  
 28 purchases:

29 ..... \$ ~~54,521~~  
 30 109,042

31 5. For the division of state fire marshal, for fire  
 32 protection services as provided through the state fire service  
 33 and emergency response council as created in the department,  
 34 and for the state's contribution to the peace officers'  
 35 retirement, accident, and disability system provided in chapter



1 97A in the amount of the state's normal contribution rate,  
 2 as defined in [section 97A.8](#), multiplied by the salaries for  
 3 which the moneys are appropriated, and for not more than the  
 4 following full-time equivalent positions:

5 .....	\$	<del>2,343,357</del>
6 .....		<u>4,765,056</u>
7 .....	FTEs	53.00

8 6. For the division of state patrol, for salaries, support,  
 9 maintenance, workers' compensation costs, and miscellaneous  
 10 purposes, including the state's contribution to the peace  
 11 officers' retirement, accident, and disability system provided  
 12 in [chapter 97A](#) in the amount of the state's normal contribution  
 13 rate, as defined in [section 97A.8](#), multiplied by the salaries  
 14 for which the moneys are appropriated, and for not more than  
 15 the following full-time equivalent positions:

16 .....	\$	<del>30,683,170</del>
17 .....		<u>62,126,287</u>
18 .....	FTEs	511.40

19 It is the intent of the general assembly that members of the  
 20 state patrol be assigned to patrol the highways and roads in  
 21 lieu of assignments for inspecting school buses for the school  
 22 districts.

23 7. For deposit in the sick leave benefits fund established  
 24 under [section 80.42](#) for all departmental employees eligible to  
 25 receive benefits for accrued sick leave under the collective  
 26 bargaining agreement:

27 .....	\$	<del>139,759</del>
28 .....		<u>279,517</u>

29 8. For costs associated with the training and equipment  
 30 needs of volunteer fire fighters:

31 .....	\$	<del>412,760</del>
32 .....		<u>825,520</u>

33 a. Notwithstanding [section 8.33](#), moneys appropriated in  
 34 this subsection that remain unencumbered or unobligated at the  
 35 close of the fiscal year shall not revert but shall remain

1 available for expenditure only for the purpose designated in  
2 this subsection until the close of the succeeding fiscal year.

3 b. Notwithstanding [section 8.39](#), the department of public  
4 safety may reallocate moneys appropriated in this section  
5 as necessary to best fulfill the needs provided for in the  
6 appropriation. However, the department shall not reallocate  
7 moneys appropriated to the department in this section unless  
8 notice of the reallocation is given to the legislative services  
9 agency and the department of management prior to the effective  
10 date of the reallocation. The notice shall include information  
11 regarding the rationale for reallocating the moneys. The  
12 department shall not reallocate moneys appropriated in this  
13 section for the purpose of eliminating any program.

14 9. For the public safety interoperable and broadband  
15 communications fund established in [section 80.44](#):

16 .....	\$	57,831
17		<u>115,661</u>

18 10. For the office to combat human trafficking established  
19 pursuant to [section 80.45](#) as enacted by 2016 Iowa Acts, chapter  
20 1077, section 1, including salaries, support, maintenance,  
21 miscellaneous purposes, and for not more than the following  
22 full-time equivalent positions:

23 .....	\$	75,000
24		<u>150,000</u>
25 .....	FTEs	2.00

26 ~~11. For department-wide duties, including operations,~~  
27 ~~costs, and miscellaneous purposes:~~

28 .....	\$	<del>917,487</del>
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29 Sec. 12. 2017 Iowa Acts, chapter 167, section 42, is amended  
30 to read as follows:

31 SEC. 42. GAMING ENFORCEMENT.

32 1. There is appropriated from the gaming enforcement  
33 revolving fund created in [section 80.43](#) to the department of  
34 public safety for the fiscal year beginning July 1, 2018, and  
35 ending June 30, 2019, the following amount, or so much thereof

1 as is necessary, to be used for the purposes designated:

2 For any direct support costs for agents and officers of  
 3 the division of criminal investigation's excursion gambling  
 4 boat, gambling structure, and racetrack enclosure enforcement  
 5 activities, including salaries, support, maintenance, and  
 6 miscellaneous purposes, and for not more than the following  
 7 full-time equivalent positions:

8 .....	\$	<del>4,872,636</del>
9 .....		<u>10,239,218</u>
10 .....	FTEs	73.00

11 2. For each additional license to conduct gambling games on  
 12 an excursion gambling boat, gambling structure, or racetrack  
 13 enclosure issued during the fiscal year beginning July 1, 2018,  
 14 there is appropriated from the gaming enforcement fund to the  
 15 department of public safety for the fiscal year beginning July  
 16 1, 2018, and ending June 30, 2019, an additional amount of not  
 17 more than \$300,000 to be used for not more than 3.00 additional  
 18 full-time equivalent positions.

19 3. The department of public safety, with the approval of the  
 20 department of management, may employ no more than three special  
 21 agents for each additional riverboat or gambling structure  
 22 regulated after July 1, 2018, and three special agents for  
 23 each racing facility which becomes operational during the  
 24 fiscal year which begins July 1, 2018. Positions authorized  
 25 in this subsection are in addition to the full-time equivalent  
 26 positions otherwise authorized in this section.

27 Sec. 13. 2017 Iowa Acts, chapter 167, section 43, is amended  
 28 to read as follows:

29 SEC. 43. CIVIL RIGHTS COMMISSION.

30 1. There is appropriated from the general fund of the state  
 31 to the Iowa state civil rights commission for the fiscal year  
 32 beginning July 1, 2018, and ending June 30, 2019, the following  
 33 amount, or so much thereof as is necessary, to be used for the  
 34 purposes designated:

35 For salaries, support, maintenance, and miscellaneous

1 purposes, and for not more than the following full-time  
2 equivalent positions:

3 .....	\$	<del>578,531</del>
4 .....		<u>1,198,266</u>
5 .....	FTEs	30.00

6 2. The Iowa state civil rights commission may enter into  
7 a contract with a nonprofit organization to provide legal  
8 assistance to resolve civil rights complaints.

9 Sec. 14. 2017 Iowa Acts, chapter 167, section 44, is amended  
10 to read as follows:

11 SEC. 44. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION.

12 1. There is appropriated from the general fund of the state  
13 to the criminal and juvenile justice planning division of the  
14 department of human rights for the fiscal year beginning July  
15 1, 2018, and ending June 30, 2019, the following amount or  
16 so much thereof as is necessary, to be used for the purposes  
17 designated:

18 For salaries, support, maintenance, and miscellaneous  
19 purposes, and for not more than the following full-time  
20 equivalent positions:

21 .....	\$	<del>593,917</del>
22 .....		<u>1,209,410</u>
23 .....	FTEs	9.56

24 2. The criminal and juvenile justice planning advisory  
25 council and the juvenile justice advisory council shall  
26 coordinate their efforts in carrying out their respective  
27 duties relative to juvenile justice.

28 Sec. 15. 2017 Iowa Acts, chapter 167, section 45, is amended  
29 to read as follows:

30 SEC. 45. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY

31 MANAGEMENT. There is appropriated from the ~~E911~~ 911 emergency  
32 communications fund created in section 34A.7A to the department  
33 of homeland security and emergency management for the fiscal  
34 year beginning July 1, 2018, and ending June 30, 2019, the  
35 following amount, or so much thereof as is necessary, to be

1 used for the purposes designated:

2 For implementation, support, and maintenance of the  
 3 functions of the administrator and program manager under  
 4 chapter 34A and to employ the auditor of the state to perform  
 5 an annual audit of the ~~E911~~ 911 emergency communications fund:  
 6 ..... \$ ~~125,000~~  
 7 250,000

8 Sec. 16. 2017 Iowa Acts, chapter 167, is amended by adding  
 9 the following new sections:

10 NEW SECTION. SEC. 46. REGIONAL HOUSING PROJECT. There is  
 11 appropriated from the Iowa skilled worker and job creation fund  
 12 created in section 8.75 to the department of corrections for  
 13 the fiscal year beginning July 1, 2018, and ending June 30,  
 14 2019, the following amount, or so much thereof as is necessary,  
 15 to be used for the purposes designated:

16 For implementation, support, maintenance, and capital  
 17 construction costs to develop a regional housing building  
 18 project:  
 19 ..... \$ 1,000,000

20 For purposes of section 8.33, unless specifically provided  
 21 otherwise, unencumbered or unobligated moneys remaining from  
 22 the appropriation in this section, shall not revert but shall  
 23 remain available for expenditure for the purposes designated  
 24 until the close of the fiscal year that ends three years after  
 25 the end of the fiscal year for which the appropriation is made.  
 26 However, if the project or projects for which the appropriation  
 27 was made are completed in an earlier fiscal year, unencumbered  
 28 or unobligated moneys shall revert at the close of that same  
 29 fiscal year.

30 NEW SECTION. SEC. 47. CONSUMER EDUCATION AND  
 31 LITIGATION — FARM MEDIATION AND PROSECUTIONS, APPEALS, AND  
 32 CLAIMS. Notwithstanding section 714.16C, there is appropriated  
 33 from the consumer education and litigation fund to the  
 34 department of justice for the fiscal year beginning July 1,  
 35 2018, and ending June 30, 2019, the following amount, or so

1 much thereof as is necessary, to be used for the purposes  
2 designated:

3     a. For farm mediation services as specified in section  
4 13.13, subsection 2:

5 ..... \$     300,000

6     b. For salaries, support, maintenance, and miscellaneous  
7 purposes for criminal prosecutions, criminal appeals, and  
8 performing duties pursuant to chapter 669:

9 ..... \$   1,000,000

10     NEW SECTION. SEC. 48. FIRE SERVICE TRAINING BUREAU —  
11 ADMINISTRATOR.

12     1. In the fiscal year beginning July 1, 2018, and ending  
13 June 30, 2019, the commissioner of the department of public  
14 safety shall appoint an administrator of the fire service  
15 training bureau of the division of state fire marshal.  
16 The department may allocate up to \$100,000 of the moneys  
17 appropriated for the fiscal year beginning July 1, 2018, and  
18 ending June 30, 2019, for costs associated with the training  
19 and equipment needs of volunteer fire fighters to pay for the  
20 costs to employ the administrator.

21     2. In the fiscal year beginning July 1, 2019, and ending  
22 June 30, 2020, the department of public safety may allocate  
23 up to \$75,000 of the moneys appropriated for the fiscal year  
24 beginning July 1, 2019, and ending June 30, 2020, for costs  
25 associated with the training and equipment needs of volunteer  
26 fire fighters to pay for the costs to employ the administrator.

27     3. In the fiscal year beginning July 1, 2020, and ending  
28 June 30, 2021, the department of public safety may allocate  
29 up to \$50,000 of the moneys appropriated for the fiscal year  
30 beginning July 1, 2020, and ending June 30, 2021, for costs  
31 associated with the training and equipment needs of volunteer  
32 fire fighters to pay for the costs to employ the administrator.

33     4. In the fiscal year beginning July 1, 2021, and ending  
34 June 30, 2022, the department of public safety may allocate  
35 up to \$25,000 of the moneys appropriated for the fiscal year

1 beginning July 1, 2021, and ending June 30, 2022, for costs  
2 associated with the training and equipment needs of volunteer  
3 fire fighters to pay for the costs to employ the administrator.

4 Sec. 17. Section 13.2, subsection 1, paragraph g, Code 2018,  
5 is amended by striking the paragraph.

6 Sec. 18. NEW SECTION. **80.46 Public safety support trust**  
7 **fund.**

8 1. A public safety support trust fund is established in  
9 the state treasury under the control of the department. The  
10 department may receive and accept donations, grants, loans, and  
11 contributions in accordance with section 565.3 from any public  
12 or private source for deposit into the trust fund. Moneys  
13 credited to the trust fund are appropriated to the department  
14 for the purpose of supporting the activities of the department.

15 2. Notwithstanding section 8.33, moneys in the trust fund  
16 shall not revert. Notwithstanding section 12C.7, subsection  
17 2, interest or earnings on moneys deposited in the trust fund  
18 shall be credited to the trust fund.

19 Sec. 19. Section 904.310A, Code 2018, is amended by striking  
20 the section and inserting in lieu thereof the following:

21 **904.310A Information or materials — distribution.**

22 1. Funds appropriated to the department or other funds made  
23 available to the department shall not be used to distribute  
24 or make available any commercially published information or  
25 material to an inmate when such information or material is  
26 sexually explicit or features nudity.

27 2. The department shall adopt rules pursuant to chapter 17A  
28 to administer this section.

29 **EXPLANATION**

30 The inclusion of this explanation does not constitute agreement with  
31 the explanation's substance by the members of the general assembly.

32 This bill relates to and makes appropriations to the justice  
33 system.

34 The bill makes appropriations from the general fund of the  
35 state for fiscal year 2018-2019 to the departments of justice,

1 corrections, public defense, public safety, and homeland  
2 security and emergency management, and the Iowa law enforcement  
3 academy, office of the state public defender, board of parole,  
4 Iowa state civil rights commission, and the criminal and  
5 juvenile justice planning division of the department of human  
6 rights.

7 The bill appropriates moneys from the department of commerce  
8 revolving fund to the office of consumer advocate of the  
9 department of justice for fiscal year 2018-2019.

10 The bill prohibits each judicial district department of  
11 correctional services from expending moneys appropriated  
12 from the general fund of the state for salaries, support,  
13 maintenance, and miscellaneous purposes for the implementation,  
14 development, or use of pretrial risk assessments, and requires  
15 any risk assessment pilot programs to be terminated by December  
16 31, 2018.

17 The bill appropriates moneys from the general fund of the  
18 state to the criminalistics laboratory fund created in Code  
19 section 691.9 to accelerate the DNA analysis of DNA samples.

20 The bill also appropriates moneys from the gaming  
21 enforcement revolving fund to the department of public safety  
22 for fiscal year 2018-2019.

23 The bill appropriates moneys from the wireless 911 emergency  
24 communications fund to the department of homeland security and  
25 emergency management for fiscal year 2018-2019.

26 The bill appropriates moneys from the Iowa skilled worker  
27 and job creation fund to the department of corrections for  
28 implementation, support, maintenance, and capital construction  
29 costs to develop a regional housing building project.

30 The bill appropriates moneys from the consumer education and  
31 litigation fund to the department of justice for farm mediation  
32 services and for criminal prosecutions, criminal appeals, and  
33 performing duties related to state tort claims.

34 The bill requires the commissioner of the department of  
35 public safety to appoint an administrator of the fire service



1 training bureau of the division of state fire marshal pursuant  
2 to Code section 100B.7. The bill authorizes the department to  
3 allocate up to \$100,000 of the moneys appropriated during FY  
4 2018-2019 for costs associated with the training and equipment  
5 needs of volunteer fire fighters to pay for the costs to employ  
6 the administrator. The bill authorizes the department to  
7 allocate up to \$75,000 of the moneys appropriated during FY  
8 2019-2020 for costs associated with the training and equipment  
9 needs of volunteer fire fighters to pay for the costs to employ  
10 the administrator. The bill authorizes the department to  
11 allocate up to \$50,000 of the moneys appropriated during FY  
12 2020-2021 for costs associated with the training and equipment  
13 needs of volunteer fire fighters to pay for the costs to employ  
14 the administrator. The bill authorizes the department to  
15 allocate up to \$25,000 of the moneys appropriated during FY  
16 2021-2022 for costs associated with the training and equipment  
17 needs of volunteer fire fighters to pay for the costs to employ  
18 the administrator.

19 The bill strikes Code section 13.2(1)(g) requiring the  
20 attorney general to report to the governor, at the time  
21 provided by law, the condition of the attorney general's  
22 office, opinions rendered, and business transacted of public  
23 interest.

24 The bill establishes a public safety support trust fund  
25 in the state treasury under the control of the department of  
26 public safety. The bill permits the department of public  
27 safety to receive and accept donations, grants, loans, and  
28 contributions from any public or private source for deposit  
29 into the trust fund. Moneys credited to the trust fund are  
30 appropriated to the department of public safety for the purpose  
31 of supporting the activities of the department of public  
32 safety.

33 The bill strikes a provision requiring the director of the  
34 department of corrections to provide, as necessary, suitable  
35 space for reading material for inmates. Additionally, the

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1 bill prohibits the department of corrections from using  
2 any appropriated funds or other funds made available to the  
3 department to distribute or make available any commercially  
4 published information or material to an inmate that is sexually  
5 explicit or features nudity.